

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

DIRECTORS OF THE OHIO	:	
CONFERENCE OF PLASTERERS	:	
AND CEMENT MASONS COMBINED	:	
FUNDS, INC.	:	Case No. 3:19-cv-00262
:		
Plaintiffs,	:	Judge Thomas M. Rose
:		
v.	:	
:		
ACL GENERAL CONTRACTING, INC.	:	
:		
Defendant.	:	
:		
:		

ORDER GRANTING PLAINTIFFS' MOTION FOR DEFAULT JUDGMENT

WHEREAS, Plaintiffs Directors of the Ohio Conference of Plasterers & Cement Masons Combined Funds, Inc. filed their Complaint on August 27, 2019;

WHEREAS, Defendant, ACL General Contracting, Inc., failed to file a timely answer or otherwise plead;

WHEREAS, the Clerk of this Court issued an Entry of Default on October 31, 2019;

NOW THEREFORE, upon motion of the Plaintiffs and for good cause shown, default judgment is hereby entered against Defendant in accordance with the Motion for Default Judgment and exhibits thereto; and

IT IS HEREBY ORDERED that **JUDGMENT IS ENTERED** on behalf of Plaintiffs and against Defendant.

IT IS FURTHER ORDERED that Defendant shall, not later than 14 days from the date of this Order, submit to an audit by making available to Plaintiffs, or their designated agent, in the manner and at the time and place designated by Plaintiffs, all of Defendant's books and records

for the period of January 2015 to the present. Defendants shall provide Plaintiffs with all records, information, and responses as necessary for Plaintiffs to determine the amounts owed in unpaid contributions, liquidated damages and interest.

IT IS FURTHER ORDERED that Defendant is liable for the amount of contributions found due and owing from the audit, plus liquidated damages, interest, attorney fees, as well as the costs of any audit. After an audit has been performed or the monthly reports are submitted and the total amounts owed have been calculated, counsel for Plaintiffs will file an affidavit containing these amounts owed and, upon the filing of such affidavit, this Court shall enter a Judgment Entry for damages in favor of Plaintiffs and against Defendant.

IT IS FURTHER ORDERED that the above-captioned matter shall not be administratively closed by the Clerk's Office until such time as Plaintiffs file an affidavit as to the amounts owed to Plaintiffs by Defendant.

IT IS FURTHER ORDERED that Plaintiffs are entitled to ongoing interest in the amount of one percent per month until the unpaid contributions are paid in full and any additional attorney's fees incurred in collecting the judgment amount.

ENTERED:

By:

*s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Dated:

November 14, 2019

Prepared by Counsel for Plaintiffs:

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